

CITY OF HORSESHOE BAY

ORDINANCE NO. ORD 08-01-22H

**ORDINANCE RECEIVING PETITION FROM HORSESHOE BAY RESORT OWNERS
OF MARINA TRACT AND YACHT CLUB LAKE BOTTOM TRACT**

**AN ORDINANCE OF THE CITY OF HORSESHOE BAY, TEXAS,
RECEIVING THE PETITION OF OWNERS OF THE MARINA AND
YACHT CLUB LAKE BOTTOM TRACT PROPERTIES TO ANNEX
THOSE TERRITORIES; PROVIDING PUBLIC NOTICE OF TWO PUBLIC
HEARINGS AND DIRECTING CITY STAFF TO PREPARE A SERVICE
PLAN FOR THE AREA; PROVIDING FOR EFFECTIVE DATE AND
PROPER NOTICE AND MEETING**

WHEREAS, on or about January 14, 2008, a written petition requesting annexation of certain territory they own commonly known as the Horseshoe Bay Resort Marina and Yacht Club Lake Bottom Properties, was filed with the City of Horseshoe Bay by all such Owners; and

WHEREAS, the petition describes the territory generally known as the Horseshoe Bay Resort Marina and Yacht Club Lake Bottom Properties by metes and bounds and is acknowledged in the manner required for deeds by each person having an interest in the area; and

WHEREAS, the territories at issue are one-half mile or less in width, are contiguous to the City of Horseshoe Bay, are in the City's extraterritorial jurisdiction, and are vacant and without residents; and

WHEREAS, the City Council of the City of Horseshoe Bay (City Council) finds that the territories may be annexed pursuant to Local Government Code section 43.028; and

WHEREAS, the City Council seeks to hold public hearings regarding the proposed annexation to hear any public comments for or against the annexation of the territory;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
HORSESHOE BAY, TEXAS:**

I. FINDINGS OF FACT

All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council, and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

II. RECEIPT OF PETITION

The petitions of Owners of Property located in the Horseshoe Bay Resort Marina and Yacht Club Lake Bottom Properties, attached hereto as Exhibit A and incorporated herein for all purposes, are hereby received.

III. PUBLIC HEARINGS

Public hearings shall be held on the 19th, day of February, 2008, at 3:00 p.m., and the 19th, day of February, 2008, at 3:05 p.m., in the City Council Chamber of the City Hall of the City of Horseshoe Bay, Texas, to give all interested persons the right to appear and be heard on the proposed annexation by the City of the property described at Exhibit A.

The City Secretary is hereby authorized and directed to cause notice of each public hearing to be published in a newspaper having general circulation in the City and in the area proposed for annexation not more than twenty days nor less than ten days prior to the date of such public hearing. Notice of each hearing shall also be posted on the City's Internet website not more than twenty days nor less than ten days prior to the hearing and shall remain posted until the date of the hearing. The City Secretary is hereby authorized and directed to give additional notice by certified mail to each railroad company that serves the City and is on the City's tax roll if the company's right-of-way is in the area proposed for annexation.

IV. SERVICE PLAN

The Director of Public Works is hereby authorized and directed to prepare a service plan detailing the municipal services that will be provided to the area after it has been annexed.

V. EFFECTIVE DATE

This Ordinance shall be and become effective immediately upon and after its passage and publication as may be required by governing law.

VI. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

ADOPTED AND APPROVED on this 22nd day of January, 2008 by a vote of the City Council of the City of Horseshoe Bay, Texas.

CITY OF HORSESHOE BAY, TEXAS

/S/

Robert W. Lambert, Mayor

ATTEST:

/S/

Teresa L. Moore, City Secretary